

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JUNE 1, 1977

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, June 1, 1977 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Ehrhardt, Hughes,
Katzakian, Pinkerton
and Katnich (Mayor)

Absent: Councilmen - None

Also Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Mullen and City Clerk Reimche.

INVOCATION

The invocation was given by Reverend James Holm, Vinewood Community Church.

PLEDGE

Mayor Katnich led the Pledge of Allegiance to the flag.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of May 23, 1977:

The Planning Commission -

1. Certified as adequate and recommended to the City Council the Final Environmental Impact Report for Beckman Park, a proposed 140.34 acre Planning Development bounded by West Kettleman Lane on the north; South Hutchins Street on the east; West Century Boulevard on the south; and the Woodbridge Irrigation District Canal on the west.

EIR FOR BECKMAN
PARK

On motion of Councilman Pinkerton, Hughes second, Council set the matter for public hearing on July 6, 1977.

The Planning Commission also -

BECKMAN PARK
REZONE FROM
R-1 TO P-D(15)

2. Recommended that the portions designated for residential purposes on the development plan for Beckman Park be rezoned from R-1, Single-Family Residential to P-D(15), Planned Development District No. 15 with the following conditions:

Minutes of June 1, 1977, continued

BECKMAN PARK
REZONE(Contd.)

a. that the single-family areas westerly of South Ham Lane conform to the zoning requirements of Zoning Ordinance Section 27-5, R-1 Single-Family Residential;

b. that the single-family areas easterly of South Ham Lane conform to the Zoning requirements of Zoning Ordinance Section 27-6; R-2, Single-Family Residential.

c. that the areas designated for multiple family purposes be limited to 20 units per acre and conform to Zoning Ordinance Section 27-7, Garden Apartment Residential District; and

d. that the areas designated for condominium purposes be limited to 10 units per acre and conform to Zoning Section 27-7, Garden Apartment Residential District.

On motion of Councilman Pinkerton, Hughes second, the matter was set for public hearing on July 6, 1977.

ITEMS OF INTEREST

The Planning Commission also -

1. Denied General Plan Amendment #77-2 which proposed changes to the Land Use Element by establishing 28.12 acres of commercial use at the southwest corner of West Kettleman Lane and South Hutchins Street and 12 acres of commercial-professional use on the south side of West Kettleman Lane east and west of South Ham Lane.

2. Approved the request of Mr. James A. Brooks for a Variance "to permit the extension of a use for not more than 50 feet into a more restrictive district where the boundary line thereof divides a 'lot of record' " to permit the relocation of an existing cocktail lounge operated in conjunction with a restaurant from a C-2, General Commercial area to a C-1, Neighborhood Commercial area at 621 North Cherokee Lane.

COMMUNICATIONS

COUNCIL RECEIVES
COPIES OF BECKMAN
PARK EIR

City Clerk Reimche announced that copies of the Final Environmental Impact Report on Beckman Park Planned Development had been presented to the Council at the onset of the Council meeting to allow sufficient time for study and evaluation of the report by the Council prior to the public hearing on the matter.

OPPOSITION REC'D.
RE BECKMAN
PROPERTY PLANNED
DEVELOPMENT

City Clerk Reimche apprised the Council that a letter had been received from Vince Campodonico, 1336 S. Crescent Avenue opposing the planned development on the Beckman property at Highway 12 and Hutchins Street.

Minutes of June 1, 1977, continued

APPLICATION
BEFORE PUC

Council was informed that a Notice of Hearing regarding application No. 57228 has been received. This is an application of P.G.&E. for authority to increase its electric rates and charges in accordance with the Energy Cost Adjustment Clause included in its Electric Tariff. The matter has been set for hearing Thursday, June 9, 1977 at 10:00 a.m. in the Commission Courtroom, State Building, 350 McAllister Street, San Francisco, Ca.

APPEAL REC'D. RE
PLANNING COMM.
ACTION RE BECKMAN
PARK SUBDV.

The City Clerk presented a letter which had been received from Ronald B. Thomas of Aladdin Real Estate, Inc. appealing the actions of the Planning Commission at its meeting of May 23, 1977 regarding Beckman Park Subdivision (P-D 15).

On motion of Councilman Ehrhardt, Pinkerton second, the matter was set for public hearing on July 6, 1977.

UPDATE ON FPC
DELAY IN RATE
CASES

Councilman Hughes advised the Council that delays are still being encountered regarding F.P.C. ratification of the settlement agreement pertaining to pending rate cases with P.G.&E.

CITIZEN EXPRESSES
CONCERN RE
STOCKTON & TOKAY
INTERSECTION

Following introduction of the matter by Councilman Hughes, the City Clerk was directed to correspond with Ms. Phyllis T. Harvey whose letter appeared in the "Letters to the Editor", Lodi News Sentinel, June 1, 1977 expressing her concerns regarding traffic conditions at Tokay and Stockton Streets. Council was apprised that this location is included in the OTS Identification and Surveillance of Accident Location Study presently being done by George S. Nolte and Associates from San Jose.

APPRECIATION
EXTENDED TO
CITIZENS

Mayor Katnich apprised the Council that Father O'Grady had extended his appreciation for the kind reception he had received from the citizens while in Lodi and the fact that he will be moving to Turlock shortly.

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Ehrhardt second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$422,762.37.

Minutes of June 1, 1977, continued

"NO PARKING" ZONE
ON VICTOR ROAD
WEST OF CLUFF AVE.

RES. NO. 4358

Council was apprised that the Manager of Farm Industrial Supplies had requested that parking be prohibited in an area on Victor Road west of Cluff Avenue to improve visibility for drivers exiting from FISCO onto Victor Road. It was Staff's recommendation that this request be granted.

RESOLUTION NO. 4358

ESTABLISHING "NO PARKING" ZONE ON
VICTOR ROAD WEST OF CLUFF AVENUE.

"NO PARKING" ZONE
ON SCHOOL ST.
SOUTH OF WALNUT
STREET

RES. NO. 4359

City Manager Graves advised the Council that the City has just completed a curb and gutter replacement project, and the owners of the Cottage Bakery property have constructed a new and wider commercial driveway on this section of School Street. In conjunction with this project, it is necessary to eliminate one substandard length parking stall north of the driveway and to relocate the parking meters and stalls to the south.

RESOLUTION NO. 4359

ESTABLISHING "NO PARKING" ZONE ON
SCHOOL STREET SOUTH OF WALNUT STREET.

AGENDA ITEM
REMOVED FROM
AGENDA

WITH COUNCIL'S CONCURRENCE, AGENDA
ITEM "d" - "ACCEPTANCE OF WESTDALE
BASIN FENCE - TOKAY STREET AND W.I.D.
CANAL" WAS REMOVED FROM THE AGENDA.

OFFSITE
IMPROVEMENTS AT
351 N. BECKMAN
ROAD

Following introduction of the matter by City Manager Graves and City Attorney Mullen, Council, on motion of Councilman Katzakian, Ehrhardt second, directed Mr. Richard J. Thorpe to install storm drainage improvements at 351 N. Beckman Road; approved deferring the installation of curb, gutter and sidewalk improvements at that location which are to be completed at a later date under the 1911 Act; and directed that an Agreement be drawn up between the City of Lodi and Mr. Thorpe covering the conditions of the Council's actions in this matter.

SEWER REVENUE
PROGRAM

RES. NO. 4360

URGENCY ORD.
NO. 1110 ADOPTED

A presentation regarding a proposed Revenue Program for the City of Lodi Sewer Utility was presented by Dave Requa, Resident Engineer for Trotter-Yoder and Associates. Mr. Requa apprised the Council that in accepting state and federal funds to finance a portion of the expansion of the White Slough Water Pollution Control Facilities, the City of Lodi agreed to comply with Clean Water Grant Program regulations which, in part, require the implementation of a revenue program. The purpose of the revenue program is to insure compliance with state and federal requirements while providing the City of Lodi with a sound financial plan for the continued operation of wastewater facilities.

SEWER REVENUE
PROGRAM
(Continued)

Minutes of June 1, 1977, continued

Separate industrial and domestic wastewater treatment facilities are owned and operated by the City. Only the domestic facility has been constructed with funds from the Clean Water Grant Program; thus, the raising of revenues for the operation of industrial facilities is not subject to state and federal requirements; however, in the interest of uniform financial planning, the document entitled "Revenue Program for City of Lodi Sewer Utility", which had been presented for Council's perusal, covered the needs of both facilities.

Council was further apprised that the Clean Water Grant regulations require that the City of Lodi implement a revenue program which will, through user service charges, connection fees, or other means approved by the state, recover appropriate capital costs, costs of operation and maintenance, and fund reasonable future expansion and improvement as needed. A program was then presented which consisted of two portions covering revenue requirements and sources of revenue; namely, to maintain a consistent fiscal policy and to insure a self-sustaining pay-as-you-go wastewater program, revenue needs and sources for both the industrial and domestic systems are satisfied in a similar manner.

Council was further apprised that State and federal guidelines separate revenue requirements into three specific areas as follows:

1. Provide financing for an adequate operation and maintenance program, including the employment of competent operating personnel.
2. Fund interest payments on debts attributable to construction of wastewater facilities.
3. Provide amounts required to be deposited in a Wastewater Capital Reserve Fund.

Sources of revenue including proposed sewer charges and connection fees were then discussed.

A lengthy discussion followed regarding Mr. Requa's presentation and the documentation provided the Council on the subject.

On motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4360 approving the "Revenue Program for City of Lodi Sewer Utility" as presented to Council.

Councilman Katzakian then moved adoption of Urgency Ordinance No. 1110, "An Ordinance Amending Certain Sections of Lodi City Code, Chapter 20 re Sewer charges and connection fees". The motion was seconded by Councilman Ehrhardt and carried by the following vote:

Minutes of June 1, 1977, continued

SEWER REVENUE
PROGRAM
(Continued)

Ayes: Councilmen - Ehrhardt, Hughes,
Katzakian, Pinkerton
and Katnich

ORD. NO. 1110
ADOPTED(Contd.)

Noes: Councilmen - None

Absent: Councilmen - None

SB 325 CLAIM
APPROVED

RES. NO. 4361

A proposed resolution approving the revised 1975-76, the revised 1976-77 and the new 1977-78 claims for the Transportation Development Act funds (SB 325) was presented for Council's approval. It was explained that in adopting the resolution, the City Council will be authorizing the use of SB 325 funds on any or all of the projects listed. The 1975-76 and 1976-77 claims have been revised to include those projects which SB 325 funds were or are going to be expended on. The 1977-78 claim includes all of those street projects which are being contemplated for construction next fiscal year. If all of the projects are approved for SB 325 funding, the City has greater flexibility when the actual funding for the 1977-78 Capital Improvement Program is finalized. In approving the 1977-78 claim, it does not mean that all of the projects listed will be constructed, it only means that if the project is approved as part of the Capital Improvement Program, it can be funded with SB 325 funds.

On motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4361 approving revised 1975-76, revised 1976-77 and new 1977-78 claims for Transportation Development Act funds (SB 325).

CONFLICT OF
INTEREST CODE
FOR TRUSTEES &
EMPLOYEES OF THE
LODI PUBLIC
LIBRARY

Following receipt of the proposed Conflict of Interest Code for Trustees and Employees of the Lodi Public Library, the matter was set for public hearing on July 6, 1977 on motion of Councilman Katzakian, Ehrhardt second.

PUBLIC HEARING
SET FOR CONSID-
ERATION OF
MODIFICATION OF
UNIFORM FIRE
CODE-1976
EDITION

City Manager Graves apprised the Council that the Fire Chief has requested that the Uniform Fire Code be updated to bring it in line with other codes. On motion of Councilman Ehrhardt, Katzakian second, Council set the consideration for modification of the Uniform Fire Code - 1976 Edition for Public Hearing on July 6, 1977.

50 METER POOL AT
NEW TOKAY HIGH
SCHOOL SITE

Prior to introduction of Agenda Item "K" - "Tokay Swimming Pool", Mayor Katnich indicated his desire to abstain from discussion and voting on the matter, turned the meeting over to Mayor Pro Tempore Pinkerton, and vacated his seat at the Council table.

Minutes of June 1, 1977, continued

50 METER POOL
(Continued)

Lengthy discussion followed on the subject of City participation in the construction and maintenance of a 50 meter pool at the new Tokay High School site, with questions regarding the matter being directed to staff.

Councilman Hughes stated that he felt that the natural gas costs for heating such a pool should be looked into and that he would appreciate receiving information on the subject.

Following additional discussion Councilman Katzakian then moved that

- a) The City contribute \$150,000 toward the construction of a 50 meter swimming pool on the campus of the new Tokay High School. This sum to be paid in six annual installments of \$25,000, no interest to be involved.
- b) The City will share 50% of the normal annual maintenance expense to include heating, chemicals and a maintenance worker.
- c) The City is willing to participate in the establishment of a fund designed to provide for future maintenance and repairs in the amount of \$2600.00 per year.

The motion was seconded by Councilman Ehrhardt and carried by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian,
and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katnich

RECESS

Mayor Katnich then returned to his seat at the Council table and declared a five-minute recess. Council reconvened at 10:15 p.m.

COMMERCIAL
WATER USE

Information concerning the following types of commercial use of water within the City of Lodi was presented to the City Council by Public Works Director Ronsko:

- a) Once-through, Water-cooled Refrigeration Units
- b) Car Wash Installations
 - (1) Tunnel Type
 - (2) Coin Operated
- c) Pools without filtering systems
- d) Private Wells

COMMERCIAL WATER
USE (Continued)

Minutes of June 1, 1977, continued

Mr. Ronsko apprised the Council that it is very difficult to obtain completely accurate information because of the lack of adequate records and manpower.

Mr. Ronsko's report concluded with the statement that "at the present time most State and Federal aid is set up to help the agricultural users and water districts. There are special provisions for businesses that lose revenue because of the drought such as ranches and recreational areas. The only available source of funds for a Lodi business that wants to install a more efficient water using system would be through a Small Business Administration Loan or other normal financing method."

Council discussion followed with questions regarding the subject being directed to Staff.

On motion of Councilman Hughes, Ehrhardt second, Council identified task regarding commercial water use as set forth in letter of May 17, 1977 addressed to the City Manager from Public Works Director Ronsko and directed that the feasibility of using C.E.T.A. funds be studied for manpower requirements to implement the project.

A report regarding projects presently being developed by N.C.P.A. for supplemental power, namely; a) Shell Agreement, b) Calaveras Project, was presented to the Council by Councilman Hughes.

REPORT ON NCPA
SUPPLEMENTAL
POWER PROJECTS

Copies of agreements entitled "Geothermal Steam Sales Agreement" and "Member Agreement for Construction, Operation and Financing of NCPA Geothermal Generating Unit #2 Project" were presented for Council's perusal.

Council discussion followed with questions regarding the report being directed to Councilman Hughes. No action was taken by the Council on the matter.

1977-78 BUDGET

The recommended 1977-78 Budget was presented to the City Council. A brief review of the proposed budget was presented by Assistant City Manager Glenn. The City Council was apprised that the proposed Operating Budget totals \$16,010,350, which is an increase of \$3,631,830 over the 1976-77 budget, an increase of 29.3%.

Questions regarding the budget were posed by Council. Following discussion, on motion of Councilman Pinkerton, Katzakian second, the consideration of the proposed 1977-78 Budget of the City of Lodi, including proposed Capital items, was set for public hearing on June 15, 1977 at 8:00 p. m.

Minutes of June 1, 1977, continued

SAN JOAQUIN COUNTY
SOLID WASTE
MANAGEMENT PLAN

Council was apprised that on May 25, 1977, Mayor Katnich, the City Manager, and Public Works Director had attended a meeting at the County offices to review with the representatives from other cities and the County, the recommendation of the Solid Waste Technical Advisory Committee. Their recommendation covered the direction which the cities and the County should take with respect to developing a revised Regional Solid Waste Management Plan that would be acceptable to all municipal agencies within the County.

The following policy decisions were agreed upon by the elected officials attending this meeting, and it was their recommendation that these items be taken back to their political bodies for ratification which would be in the form of a resolution:

1. Recommend hiring a consultant to develop a Regional Solid Waste Management Plan which would be acceptable to all municipal agencies in the County and the State Solid Waste Management Board;
2. Recommend that the funding of the consultant would be proportioned between all agencies based on population using the 1975 census;
3. Recommend County to be the lead agency with respect to hiring and supervising the consultant;
4. Recommend that a policy body be developed consisting of one member of each City Council and one member of the Board of Supervisors. This policy would participate in the consultant selection and would act and give direction on the management plan preparation. Each member of this policy body should receive authorization from their political body to vote on the consultant selection and items during the plan preparation phase.
5. That a Technical Advisory Committee made up of one member of each agency staff plus members from private firms continue to make technical recommendations to the policy body.

RES. NO. 4362

Following discussion, on motion of Councilman Katzakian, Pinkerton second, Council adopted Resolution No. 4362 confirming recommendations as set forth by the policy body regarding the San Joaquin County Solid Waste Management Plan, which recommendations have been heretofore set forth.

ORDINANCES

UNIFORM MECHANICAL
CODE 1976 EDITION

ORD. NO. 1106
ADOPTED

Ordinance No. 1106 entitled "An Ordinance adopting the 'Uniform Mechanical Code', 1976 Edition, which Code provides regulations controlling the design, construction, installation, quality of materials, location, operation, and maintenance of heating ventilating, comfort cooling, refrigeration systems, incinerators and other heat producing appliances in the City of Lodi, providing for the issuance of permits and collection of fees therefor; providing

ORD. NO. 1106
ADOPTED (Contd.)

Minutes of June 1, 1977, continued

penalties for the violations thereof; and repealing Sections 13A-1, 13A-2, and 13A-3 inclusive of the Code of the City of Lodi and all other ordinances and parts of ordinances in conflict therewith", having been introduced at a regular meeting of the Lodi City Council held May 18, 1977 was brought up for passage on motion of Councilman Pinkerton, Katzakian second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

"UNIFORM PLUMBING
CODE", 1976 EDITION

ORD. NO. 1107
ADOPTED

Ordinance No. 1107, entitled 'An Ordinance adopting the 'Uniform Plumbing Code', 1976 Edition, providing for the establishing of minimum regulations for the installation, alteration or repair of plumbing and drainage systems and the inspection thereof; providing penalties for the violation thereof; and repealing Sections 18-1, 18-2, 18-3 and 18-4 inclusive of the Code of the City of Lodi and all other ordinances and parts of ordinances in conflict therewith" having been introduced at a regular meeting of the Lodi City Council held May 18, 1977 was brought up for passage on motion of Councilman Pinkerton, Ehrhardt second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

"UNIFORM BUILDING
CODE" 1976 EDITION

ORD. NO. 1108
ADOPTED

Ordinance No. 1108 entitled "An Ordinance adopting the 'Uniform Building Code', 1976 Edition, and the secondary code referred to therein, namely the 'Uniform Building Code Standards', 1976 Edition, which Codes regulate the design, construction, quality of materials, use and occupancy, location and maintenance of buildings or structures in the City of Lodi, providing for the issuance of permits and collection of fees therefor, providing penalties for the violations thereof; repealing Sections 5.1 and 5.2 inclusive of the Code of the City of Lodi, and all other ordinances and parts of ordinances in conflict therewith", having been introduced at a regular meeting of the Lodi City Council held May 18, 1977 was brought up for passage on motion of Councilman Katzakian, Pinkerton second. Second reading was omitted after reading by title and the ordinance was then passed, adopted, and ordered to print by the following vote:

Minutes of June 1, 1977, continued

ORD. NO. 1108 ADOPTED Ayes: Councilmen - Ehrhardt, Hughes,
(Continued) Katzakian, Pinkerton and
Katnich

Noes: Councilmen - None

Absent: Councilmen - None

P.E.R.S. CONTRACT
AMENDED

ORD. NO. 1109
ADOPTED

Ordinance No. 1109 entitled "An Ordinance authorizing an amendment to the Contract between the City of Lodi and the Board of Administration of the California Public Employees' Retirement System" having been introduced at a regular meeting of the Lodi City Council held May 18, 1977 was brought up for passage on motion of Councilman Ehrhardt, Katzakian second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian,
Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business to be brought before the Council, the meeting was adjourned to June 8, 1977 at 8:00 p.m. by Mayor Katnich, at approximately 11:15 p.m. on motion of Councilman Ehrhardt, Katzakian second.

Alice M. Reimche
Attest: ALICE M. REIMCHE
City Clerk